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ELECTION COMMISSION, INDIA

NOTIFICATION

Dated the 2nd November 1954

BY SHRI GYAN CHAND BAHL, CHAIRMAN, ELECTION TRIBUNAL,
AMRITSAR

ELECTION PETITION No. 27 OF 1954

S.R.O.3413.—In pursuance of the provisions of Sub-Section (1) of Section 90 of the Representation of the People Act, 1951 (XLIII of 1951), the following election petition presented under Section 81 thereof is published for information:—

To

THE ELECTION COMMISSION, INDIA, NEW DELHI.

Mast Ram M.A., LL.B., Advocate S/o L. Wasakhi Ram, Resident of Kucha Buta Ram Ahluwalia, Delhi Gate, Ferozepore City (Punjab).—
Petitioner.

Versus

1. S. Iqbal Singh S/o S. Rattan Singh, Resident of House No. 662, Ward No. 8 Abohar (District Ferozepore);
2. Pt. Madhu Sudan Dass S/o Pt. Rullia Ram, Resident of Giddarbaha (District Ferozepore);
3. S. Suhel Singh S/o S. Phoola Singh, Resident of Village Jagmelera Alias Sant Nagar, Post Office Jiwan Nagar, Tehsil Sirsa (District Hissar) C/o S. Teja Singh Namdhari, Sirsa (District Hissar);
4. S. Bachittar Singh, Pleader, S/o S. Basant Singh, Resident of Ward No. 5, Fazilka (District Ferozepore);
5. L. Sunam Rai M. A., Journalist S/o L. Kanshi Ram, Resident of Fazilka (District Ferozepore)—*Respondents.*

Election Petition under Part VI Chapter II, Sections 80 to 84; Chapter III, Sections 98 to 100; Chapter V, Section 117 Part VII Chapter I, Sections 123 and 124; Chapter II, Section 125; Chapter III, Section 130; Part VIII Chapter I, Section 140; Chapter II, Sections 141 and 142 of the Representation of the People Act, (No. XL III) 1951 and the Rules made thereunder calling in question the election of S. Iqbal Singh, Respondent No. 1.

Concise Statement of Material Facts under Section 83(1)

The humble petition of the above said petitioner most respectfully sheweth as follows:—

I. That the Petitioner and the abovesaid five Respondents were duly nominated candidates for the Fazilka-Sirsa Constituency of the House of the People at the bye-election held in March-May 1954.

II. That Respondent No. 5 withdrew his candidature on 27th March 1954 and left the Petitioner and the first four Respondents to contest the bye-election.

III. That polling in the constituency took place on May 9 and 11, 1954; votes were counted on May 12 and 13, 1954; Respondent No. 1 was declared duly elected on May 13th, 1954; and a declaration to that effect has been published in the Government of India Gazette Extraordinary, Part I—Section 1, dated May 15, 1954 at page 318.

IV. That Respondent No. 1 filed the Return of Election Expenses on June 28, 1954, and notice thereof under Rule 113 of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1951 has been published in the Government of India Gazette Extraordinary, Part I—Section 1, dated July 7, 1954.

V. That the Petitioner has deposited Rs. 1,000 (Rupees one thousand) in Government Treasury Ferozepore in favour of the Secretary to the Election Commission, India, New Delhi as security for the costs of the petition under Section 117 of the Representation of the People Act, 1951 and the Treasury Receipt for the same is attached herewith.

VI. That the election of Respondent No. 1 was induced and procured and the result of the election was materially affected by the corrupt and illegal practices specified in paras. No. VII, IX and X of this petition.

VII. That the following corrupt practices specified in Section 123 of the Representation of the People Act, 1951 were committed by Respondent No. 1 and his agents in connection with the bye election in dispute:

1. *Bribery* [Section 123(1)].—Respondent No. 1 himself and his agents committed the corrupt practice of bribery in the form of:—

(1) Promising to get the enquiry re-embezzlement of octroi duties pending against Shree Munshi Ram Galhotra, President Municipal Committee Fazilka, hushed up through his agents—the Punjab Ministers in general and S. Partap Singh Kairon & Shree Bhim Sain Sachar in particular—with the object directly of inducing Shree Munshi Ram Galhotra and his friend R. S. Lala Makand Lal Ahuja, Ahuja Mansions, Fazilka to vote and work for Respondent No. 1;

To get the said enquiry hushed up, Shree Munshi Ram Galhotra had, in vain, for months been sending Congress leader after Congress leader to the Minister incharge of local bodies at Simla and Chandigarh.

(2) Offering and actually getting R. S. Lala Kundan Lal Ahuja, (President Municipal Committee, Abohar) and Shree Munshi Ram Saneja (Municipal Commissioner, Abohar), who were considered objectionable characters on account of their having been instrumental in arranging a Black Flag Demonstration against Shree Bhim Sain Sachar (The Chief Minister of Punjab) during one of his visits to Abohar, nominated members of the Market Committee Abohar for which positions they had been flying between Abohar, Simla and Chandigarh for over two years, been moving heaven and earth and trying to catch every straw at the Civil Secretariat Simla and Chandigarh, with the object directly of inducing them to vote and work for Respondent No. 1.

(3) Offering and actually getting allotment of sites occupied by the blacksmiths on Abohari Road Fazilka between Ghass Mandi and the Abohar Bus Stand Fazilka made in their names on their terms with the object directly of inducing the said blacksmiths to vote and work for Respondent No. 1;

(4) Promising transfer of the Shops and Commercial Establishments Inspector Fazilka with the object directly of inducing S. Mit Singh, President Kacha Ahrties Association Fazilka and some Cloth and Wool Merchants to vote and work for Respondent No. 1;

(5) Gifting away of 48½ bighas of land to Bhoodan Samati with the object directly of inducing tenant electors to vote and Bhoodan workers to vote and work for Respondent No. 1;

(6) Offering lands to evicted tenants and Harijans with the object directly of inducing them to vote and work for Respondent No. 1;

(7) Promising promotion to S. Ujjagar Singh, S.H.O. Fazilka Saddar, Police Station, with the object directly of inducing him to exercise undue influence over electors in his jurisdiction for making them vote and work for Respondent No. 1.

2. *Undue Influence* [Section 123 (2)].—(1) With the object directly and indirectly of interfering and attempting to interfere with the free exercise of the electoral rights of the electorate at large, Respondent No. 1 and his agents fraudulently, with the corrupt intention of giving the electorate at large an impression that Pandit Jawaharlal Nehru had ordered them to vote for Respondent No. 1, issued and published a big poster in thousands under the caption "Pandit Nehru Ka Firman" when as a matter of fact Pandit Jawaharlal Nehru had never promulgated or issued any such Firman. As a matter of fact a large number of illiterate and semi-literate, electors, particularly those living in rural areas of the constituency and having no sense to differentiate between Pandit Jawaharlal Nehru (the President of the Indian National Congress) and Pandit Nehru (the Prime Minister of India) were deceived and voted for Respondent No. 1 on account of this fraud alone.

(2) Even if Pandit Jawaharlal Nehru had promulgated or issued any such alleged Firman, the publication thereof by Respondent No. 1 and his agents with the corrupt intention and object directly and indirectly of making and attempting to make the electorate at large to believe that they had been ordered to vote for Respondent No. 1 interfered with the free exercise of the electoral rights of the electorate at large on a very large scale and constitutes a Major Corrupt Practice.

(3) Sardar Ujjagar Singh, S.H.O., Fazilka Saddar Police Station, District Ferozepore, sent for some of the Panches and Sarpanches assembled at Fazilka on April 7, 1954 for their monthly meeting to the Police Station, and using filthy language which the Petitioner intentionally refrains from reproducing on account of its obscenity, warned them that if box or boxes of any other candidate or candidates than S. Iqbal Singh (Respondent No. 1) disclosed votes polled they will all be dealt with properly. S. Ujjagar Singh has also been moving in vehicles provided by Respondent No. 1 in the villages within his jurisdiction and administering similar warnings to the people there;

(4) Learning that all persuasions by Shree Parbodh Chandar (his Chief Parliamentary Secretary), S. Partap Singh Kalron, Development Minister, L. Jagat Narain, Education Minister and the Congress leaders of humbler ranks had failed to bring round the Congress leaders of Fazilka and Abohar, Shree Bhim Sain Sachar, Chief Minister of the Punjab, issued a warning in the public meeting he addressed in Ghass Mandi Fazilka on May 8, 1954 at about 10 P.M. and threatened those Congressmen with action who will not vote and work for Respondent No. 1 or voted and worked for any other candidate or candidates and thus interfered with the free exercise of their electoral rights and openly committed the corrupt practice specified in Section 123 (2).

(5) S. Shamsher Singh S/o S. Balwant Singh of village Ghaloo, a near relation and agent of Respondent No. 1, drew a line over the bridge of the Soa (water distributory) between Nihal Khera and Ghalloo administering an oath said that only those who had to vote for Respondent No. 1 should cross the line and go to the Polling Station and that others should refrain from voting and return home and thus interfered with the free exercise of their electoral rights;

(6) S. Bahal Singh, D.S.P., Sirsa, threatened some Arm-licence-holders that if they did not vote and work for Respondent No. 1 or worked for any other candidate, their licenses would be cancelled.

3. *Personation* [Section 123 (3)].—Respondent No. 1's agents procured the applications by persons for ballot papers in the names of others.

4. *Publishing false and prejudicial statements of fact* [Section 123 (5)].—Respondent No. 1 and his agent (Secretary Zila Congress Committee Ferozepore) or Shree Charanjit Lal (a clerk in the office of the District Congress Committee, Ferozepore) with the connivance of Respondent No. 1 or of his agent (Secretary, Zila Congress Committee, Ferozepore) published statements of fact in relation to the personal character and conduct of the Petitioner in a circular, placard or poster captioned "Apne Mohan Mian Mithhu" which were false, which they believed to be false or did not believe to be true and which were reasonably calculated to prejudice the prospects of the Petitioner's election.

5. *Supplying Conveyance* [Section 123 (6)].—Respondent No. 1 and his agents hired and procured, on payment and otherwise, buses, cars, trucks, tractors and trollies, rikshaws and motor cycles for the conveyance of electors at large to and from the polling stations on a very very extensive scale.

6. *Incurring Un-authorised Expenditure and Employing Un-authorised Persons* [Section 123 (7)].—Respondent No. 1 and his agents incurred and authorised expenditure and employment of persons in contravention of the provisions of the Representation of the People Act, 1951 and of the Rules made there-under, e.g., employing Baja-Ghara-Tabla Party and Radio Artistes for canvassing and making payments to them for their services and for out of pocket expenses.

7. *Obtaining and Procuring Assistance of Government Servants* [Section 123 (8)].—Respondent No. 1 and his agents obtained and procured and abetted and attempted to obtain and procure the assistance (other than their votes) for the furtherance of the prospects of Respondent No. 1's election of a large number of persons serving under the Government of Punjab:

(1) Respondent No. 1 and his agents (Shree Achint Ram, M.P., Constitution House, New Delhi, and Shree Chandi Ram Verma, M.L.A., Abohar), inaugurated their election campaign in an official meeting of Panches and Sarpanches organised by S. Balbir Singh Randhawa, S.D.O., Fazilka.

(2) Shree Joti Sarup 'National' and S. Mohan Singh Sekhwan, the two Rural Publicity Workers attached with the Public Relations Department in District Ferozepore who wanted to work from behind the Purdah were forced by Respondent No. 1 (who assured them all safety *re* service) to work openly and actively for him in connection with the bye-election in dispute to the full knowledge of Shree Jagat Narain (Education Minister of the Punjab), S. Partap Singh Kairon (Development Minister of the Punjab) and Shree Prabodh Chander, Chief Parliamentary Secretary of the Chief Minister.

(3) The above said Shree Prabodh Chander brought the following Rural Publicity Workers of Ludhiana and Gurdaspur Districts and made them work for Respondent No. 1, to the full knowledge of L. Jagat Narain (Education Minister of Punjab) and S. Partap Singh Kairon (Development Minister of the Punjab):

- (a) Sh. Randhir Singh, Ludhiana,
- (b) Sh. Baldev Raj "Tooti" Gurdaspur,
- (c) Sh. Bulla Ram, Gurdaspur, and
- (d) Sh. Puran Chand, Pathankot.

(4) Many Lamberdars were not only made to work and canvass for Respondent No. 1 but were actually appointed Polling Agents by Respondent No. 1 himself, e.g., Dip Singh S/o Thakar Harnath Singh at Polling Station No. 51.

(5) S. Ujjagar Singh, S.H.O., Fazilka Saddar Police Station, District Ferozepore moved in his illaqa in vehicles provided by Respondent No. 1 and not only worked and canvassed for Respondent No. 1 but exercised undue influence in the most objectionable manner.

(6) Under the directions of S. Partap Singh Kairon (Development Minister of Punjab), S. Ajaib Singh, S.S.P., Ferozepore moved not only in Ferozepore District, but in parts of Sirsa Tehsil as well to request gentlemen over whom he had personal influence that for his sake they should vote and work for Respondent No. 1.

(7) S. Bahl Singh, D.S.P., Sirsa, under the influence of S. Partap Singh Kairon, approached gentlemen of influence in his illaqa and requested and pressed them to vote and work for Respondent No. 1.

(8) Meetings were held and loudspeakers used in contravention of the prohibitory orders U/s. 144 Cr. P.C. to the full knowledge of Shree S. Vohra, I.C.S., District Magistrate, Ferozepore, of S. Balbir Singh Randhawa, S.D.O., Fazilka and of Ch. Bhim Singh, S.D.O., Sirsa, even after these facts were brought to their notice by the Petitioner. When the Petitioner's supporters protested against this, Shree Bhim Sain Sachar (the Chief Minister of Punjab) declared in the public meeting held in Ghass Mandi, Fazilka on May 8, 1954 at about 10 P.M. that as Chief Minister and Minister-in-charge of Law and Order he did not require any permission from the D. M., Ferozepore and could address meetings without permission.

(9) In spite of repeated written requests for permission to use loud-speakers the Petitioner was not allowed the general use thereof, but Respondent No. 1's agents used the same without permission (as told to the Petitioner by Ch. Bhim Singh S.D.O., Sirsa) even when this fact was brought to the notice of the said S.D.O. by the Petitioner on or about May 3, 1954.

(10) It was announced in public meetings on May 4, 5 and 6 and upto noon on May 7, that a public meeting in support of the Petitioner will be addressed by S. Sajjan Singh, Chairman of the Punjab Praja Socialist Party on May 7, 1954 at 9 P.M. in Gandhi Chauk, Abohar. In the afternoon on May 7, Respondent No. 1's agents began to announce a meeting at the same place at 8 P.M. In spite of the Petitioner's protests against the high handedness of Respondent No. 1's agents and the assistance which they were giving to Respondent No. 1, Shree S. Vohra, I.C.S., D.M., Ferozepore and S. Balbir Singh Randhawa, S.D.O., Fazilka, under the influence of Shree Probodh Chander, Chief Parliamentary Secretary, threatened Petitioner and his workers with action and forced them not to hold their meeting before 10-30 P.M. even at a different place.

(11) On May 9, 1954 at Giddarbaha at about 2 P.M. a sub-inspector or assistant sub-inspector of police and two constables were found bringing electors in a vehicle requisitioned for the police. The matter was reported to the S.H.O., Police Station after calling him from his residence by the Petitioner's Polling Agent, Shree Vir Chand, S/o L. Khetu Ram of Giddarbaha.

(12) For days before Shree Bhim Sain Sachar was to address an election meeting at Sitoguno, the police had been going round the illaqa and beseeching villagers not to give a cold shoulder to Shree Sachar but to gather in large numbers and to receive him warmly. Not feeling confident about the fruits of their efforts, to check the politically conscious elements from hackling Shree Sachar re. the landlord-tenant controversy in connection with the eviction of tenants and to assist him in his mission a jeep full of armed police under a D.S.P. accompanied Shree Bhim Sain Sachar to Sitoguno. Had Shree Bhim Sain Sachar gone alone or in company with Congress leaders of the illaqa, he would have met with the reception he deserved and would not have been able to influence the electors even half so much as he actually did under police escort.

(13) All the Ministers of the Punjab and Shree Probodh Chander, Chief Parliamentary Secretary to the Chief Minister who visited the constituency and moved in the illaqa for days not only used Government cars but obtained and procured the assistance of their drivers (who were Government servants) for election purposes.

VIII. That the Return of Election Expenses lodged by Respondent No. 1 with the Returning Officer is false in material particulars and so is the declaration made by Respondent No. 1 for the verification thereof [Section 124 (4)].

IX. That Respondent No. 1 and his agents issued a large number of circulars, placards and posters having reference to the bye-election in dispute which did not bear on their faces the names and addresses of the printers and publishers thereof [Section 125 (3)].

X. That the result of the election was materially affected by non-compliance with the provisions of the Representation of the People Act, 1951 and the Rules made thereunder re:

1. Appointment of polling agents and giving of notice thereof to the Returning Officer within the period prescribed under the Rules [Section 46 Rule 12 (2)];

2. Prohibition against canvassing in or near polling stations and exhibiting "Pandit Nehru ka Firman" and "Congress ka Intkhahi Nishan" within the prohibited radius of 100 yards [Section 130];

It is therefore prayed that the Honourable Tribunal may be pleased to make orders to the effect;

1. that the election of Respondent No. 1 is void and therefore set aside;

2. that Respondent No. 1 has been guilty of the Corrupt and Illegal Practices specified in the petition and is therefore disqualified for membership of Parliament and the Legislature of every State and for voting at any election for six years and is therefore unseated;

3. that all those who are found to have been guilty of any Corrupt or Illegal Practice are disqualified for membership of Parliament and of the Legislature of every State and for voting at any election for six years; and

4. that the Petitioner be awarded costs of the petition.

Verification

I, Mast Ram (the Petitioner) hereby verify that the content of Paras. No. 1 to V, & IX of this Petition are correct to my own knowledge and verify that the contents of Paras. No. VI, VII, 1(1) to (7); VII, 2(1) to (6); VII 3 to 6; VII, 7(1) to (13); VIII and X, 1 & 2; of this Petition are correct to my belief based upon information received and believed to be true.

(Sd.) MAST RAM, M.A., LL.B., Advocate,
Ferozepore City (Petitioner).

Verified in my office inside Delhi Gate, Ferozepore City on July 9, 1954.

(Sd.) MAST RAM, M.A., LL.B.,
Advocate, Ferozepore City (Petitioner).

To

THE ELECTION COMMISSION, INDIA, NEW DELHI.

Mast Ram etc.—Petitioner

versus

S. Iqbal Singh and others—Respondents

List of particulars of Corrupt and Illegal practices under section 83(2)

I. *Re-VII, 1(1)*—Respondent No. 1 and Giani Gurmukh Singh Musafir (President, Punjab Congress Committee, Jullundur City) committed this corrupt practice on January 14, 1954 at about 10 P.M. at the house of Shri Munshi Ram Galhotra at Fazilka where they were invited to a dinner.

II. *Re-VII, 1(2)*—Respondent No. 1 himself and his nephew S. Poohla Singh, his uncle S. Jagat Singh and his brother-in-law S. Bhag Singh committed this corrupt practice on or about January 15, 1954 at Abohar at the shop of Messrs. Sardari Lal Munshi Ram at about 9 A.M.

III. *Re-VII, 1(3)*—Shree Jagat Narain, Education Minister of the Punjab and L. Munshi Ram Galhotra, President, Municipal Committee, Fazilka committed this corrupt practice on April 27 or 28, 1954 at about 11 A.M. while sitting amongst the blacksmiths for begging votes which they persistently refused to give until and unless the allotments for which they had in vain, been breaking their heads for about two years were made in their names before polling. On a joint application of the blacksmiths, dated May 6, 1954, Shree Munshi Ram Galhotra passed orders on May 8, 1954 and the Municipal Committee consisting of six active supporters and agents of Respondent No. 1 confirmed the President's orders on May 24, 1954.

IV. *Re-VII, 1(4)*—Shree Jagat Narain, Education Minister of the Punjab committed this corrupt practice on April 27 or 28, 1954 at about 11 A.M. before the shop of Messrs. Kishan Chand Amar Nath, Ahrties, Fazilka.

V. *Re-VII, 1(5)*—Respondent No. 1, who had been avoiding and evading the Bhoodan workers for more than a year, committed this corrupt practice on April 8, 1954 at about 10 A.M. at his residence (662, Ward No. 8, Abohar).

VI. *Re-VII, 1(6)*—S. Partap Singh Kairon, Development Minister of the Punjab committed this corrupt practice in Gandhi Chowk at Abohar and in Chowk Ghanta Ghar at Fazilka on or about April 30, 1954 in public meetings which he addressed at about 9-30 P.M.

VII. *Re-VII, 1(7)*—Respondent No. 1 himself committed this corrupt practice on or about March 29, 1954 at Fazilka in the Saddar Police Station at about 9 A.M.

VIII. *Re-VII, 2(1 & 2)*—Respondent No. 1 and his agents and many other persons who distributed and pasted this poster committed this corrupt practice at the places and on dates specified in detail in Para. No. XIX of this List.

IX. *Re-VII, 2(3)*—It is self explanatory.

X. *Re-VII, 2(4)*—Shree Bhim Sain Sachar, the Chief Minister of the Punjab, committed this corrupt practice on May 8, 1954 at about 10 P.M. in Ghass Mandi at Fazilka.

XI. *Re-VII, 2(5)*—Shamsher Singh, s/o S. Balwant Singh of village Ghalloo, an agent of Respondent No. 1, committed this corrupt practice on May 11, 1954 at about 10 A.M. when he administered the said oath to the following residents of village Ghalloo:—

(1) Padma, s/o Dana (Harijan);

(2) Kehar Singh, s/o Dasaundha Singh;

- (3) Dasaundha Singh, Mazhbi Sikh;
- (4) L. Ramsaran Dass Khanna; and
- (5) Ch. Kalu Ram (Harijan), Lambardar.

XII. *Re-VII*, 2(6)—Interests of the parties concerned require that their names should not be disclosed, nor should be disclosed the dates and places at which undue influence was exercised by S. Bahal Singh, D.S.P., Sirsa.

XIII. *Re-VII*, 3—Petitioner's polling agent objected to the giving of a ballot paper to the woman claimed the same as Nimon, wife of Maru of Zail Jodka, Tehsil Sirsa at the Ding Polling Station on May 9, 1954. The Presiding Officer ordered the same to be issued on the assurance of Respondent No. 1's agent that the applicant was the real elector.

XIV. *Re-VII*, 4(1)—The statement marked No. 1 and underlined with red pencil in the circular, placard or poster attached with the petition which reads as follows:—

"1951 main general election ke waqt is ne Punjab Assembly ke liye ticket hasil karne ki dakhast ki. Ticket na milne per apne halfnama ya parti giya-patar ko khaibad kaih kar Congress umidwar ka muqabila kiya."

related to the personal character and conduct of the petitioner, was prejudicial to the petitioner's election prospects and was absolutely false, inasmuch as the petitioner (1) had never applied for the Congress Ticket or for the ticket of any party at any election much less at the General Elections held in 1951-52 and (2) had never given any pledge (*halfnama* or *partigiyapatra*) for not contesting the election against a Congress Candidate at any election much less at the General Elections held in 1951-52.

It will not here be out of place to state that when, about April 15, 1954, Shree Wazir Chand Sikka read out the manuscript of the circular, placard or poster in the Central Congress Election Office, Abohar at about 6 p.m. in the presence of Respondent No. 1, Shree Chandi Ram Verma, M.L.A., S. Gurbakhash Singh, Congress Worker, Abohar, Shree Charan Dass, Office Secretary, Thana Congress Committee, Abohar, Shree Kundan Lal Bhandari, Congress Worker, Ferozepore City and some other Congress workers of the illaqa he was told by Shree Chandi Ram Verma or Shree Kundan Lal Bhandari that the Petitioner had never applied for the Congress Ticket and that the above said statement may be deleted. But failing to find anything against the Petitioner and determined to throw mud upon him, Shree Wazir Chand Sikka sent the same to the press.

(2)—The statement marked No. 2 and underlined with red pencil in the circular, placard or poster attached with the petition which reads as follows:—

"Maujuda parliamentary election main inhon ne mukhtalif siyasi partyon ki imdad hasil karne ki koshish ki, lekan sab taraf se takka sa jawab paya. Ab hawas bakhta hokar uttpatang ishtar nikal rehe hain."

related to the personal character and conduct of the Petitioner, was highly prejudicial to his election prospects and was absolutely false inasmuch as it had long before the issuing of this circular, placard or poster been known throughout the constituency in general and in Abohar and Fazilka in particular that the Praja Socialist Party was supporting the Petitioner.

This circular, placard or poster had been published by persons, and at places mentioned in detail in Para. No. XIX of this List from April 22 to May 11, 1954.

XV. *Re-VII*, 5(1)—Respondent No. 1's agents e.g. L. Jagat Narain, Education Minister, L. Prem Sukh Dass, M.L.C., Sirsa and S. Gurbachan Singh supplied conveyance to electors to an extent which made the whole election a farce. The Petitioner complained about it in the presence of Shree Ganga Bishan, Advocate, Sirsa, the election agent of S. Suhel Singh to the Returning Officer (Shree S. Vohra, I.C.S., Deputy Commissioner, Ferozepore) on May 9, 1954 in the Municipal Hall, Sirsa, Polling Station No. 33 when he was visiting the same with Ch. Bhim Singh, S.D.O., Sirsa.

(2)—The Petitioner made a complaint in writing to the Presiding Officer of Canal Rest House Polling Station No. 31 that Respondent No. 1's agents were transporting electors in a truck of which they had removed the number plates and were bringing the electors within hundred yards of the Polling Station in Respondent No. 1's 'camp'.

(3)—Petitioner's Polling Agent (Shree Satya Pal Kakkar, Hira Mandi, Ferozepore City) not only complained against transportation of electors by Respondent No. 1's agents but actually tried to give in writing to the Presiding Officer

of Market Committee, Sirsa Polling Station No. 34 that Shree Jagat Narain (Education Minister) was himself transporting electors in vehicles No. P.N.J. 90 and P.N.W. 727; Shree Prem Sukh Dass, M.L.C., Sirsa in vehicle No. 413 and S. Gurbachan Singh in Truck No. 600, but in vain. The Presiding Officer refused to receive the same.

(4)—At Giddarbaha, Petitioner's Polling Agent, Shree Vir Chand, s/o Shree Khetu Ram made a report in writing at the Police Station on May 9, 1954 that one Sub-Inspector or Assistant Sub-Inspector of Police and two Constables were transporting electors in a bus requisitioned for police to Respondent No. 1's 'camp'.

On May 9, 1954

(5)—The Petitioner saw agents of Respondent No. 1 bringing electors to Dharmshala L. Tulsi Ram, Sirsa Polling Station No. 32 in bus No. P.N.F. 1386 belonging to the Malwa Bus Service Ltd. and leaving them in Respondent No. 1's 'camp'.

(6)—The Petitioner saw agents of Respondent No. 1 bringing electors to Respondent No. 1's camp near P.W.D. Rest House, Sirsa Polling Station No. 30 in bus No. P.N.W. 587 belonging to the Hissar & Nilibar Co-operative Transport Society Ltd.

(7)—Kishan Lal, s/o Ch. Vishwa Nath of Abohar whose Weapon Carrier No. DLB 8970 Respondent No. 1 had hired for the purpose, transported electors to Rest House, Ranian Polling Station No. 53.

On May 11, 1954

(8)—Shree Narain Dass, Polling Agent of Respondent No. 1 was seen bringing electors, e.g. Lekh Ram, s/o Shree Ram Chand, Pirthi Raj, s/o Sawant Ram and Hari Ram, s/o Dhoola Ram, Canal Rest House, Waryam Khara Polling Station No. 204, in vehicle No. 859.

(9)—The following electors, *inter alia*, were brought from Jaurki alias Kankarwali to Abhun Polling Station No. 159 at about 7 A.M. in a truck by Respondent No. 1's agent Shree Labhu Ram, s/o Ch. Naunda Ram of Kankarwali:—

Ram Chand, s/o Pat Ram, Teja Ram, s/o Mahi Dutt, Tulsa Ram, s/o Panna Ram, Padma Ram, s/o Panna Ram, Nathu Ram, s/o Bhuma Ram, Ladhu Ram, s/o Naundhe Ram, Mistri Kalu Ram, s/o Bhuma Ram.

(10)—The following electors *inter alia* were transported by Respondent No. 1's agent in vehicle No. P.N.F. 1677:—

(a) by Mahan Singh, s/o Narain Singh of Bazidpur to Canal Rest House, Bishnupura Polling Station No. 185:—

Kohar Singh, s/o Mahan Singh and Karpal Singh, s/o Narian Singh both of Bazidpur;

(b) by Banwari Lal and Bhajan Lal, sons of Mangla Ram of Mehrajpora to D.B. Primary School, Sitogunon Polling Station No. 186:—

Ram Piyari, w/o Bhaian Lal, Rameshwari, w/o Kanshi Ram, Shanti, w/o Banwari Lal, Mangla, s/o Shri Rupa.

(11)—The following electors *inter alia* were brought by Sohan Lal, Munshi Ram, Bur Singh, Kharaiti Lal, Dharam Pal, Mahindro and Charan Dass, Polling Agent of Respondent No. 1 to Town Hall, Abohar Polling Station No. 176 from Bastles Sukherian and Jammun in vehicles Nos. P.N.F. 1294 and P.W.F. 1623 at 3-30 P.M. vehicle No. 1294 brought electors not only in the body of the bus but on its roof as well:—

Ranjah Ram, s/o Sunder Dass, Mahanga Ram, s/o Sunder Dass, Ranjah Ram, s/o Amir Chand, Saudagar Ram, s/o Tota Ram, Mohri Ram, s/o Bulaqi Ram, Bishan Dass, s/o Bulaqi Ram, Jai Lal, s/o Bulaqi Ram, Daryaditta Ram, s/o Mool Chand, Nand Lal, s/o Mool Chand, Lekh Raj, s/o Ganga Ram, Kanhya Ram, s/o Ganga Ram, Kundan Lal, s/o Kanhya Ram, Hans Raj, s/o Kanhaya Ram, Kundan Lal, s/o Topan Dass, Dharm Chand, s/o Topan Dass, Nauba Ram, s/o Topan Dass, Charan Dass, s/o Topan Dass, Thakar Dass, s/o Mehta Ram, Gurditta Ram, s/o Kishna Ram, Jatto Ram, s/o Shankar Ram, Talok Singh, s/o Thakar Singh, Karam Chand, s/o Radha Ram, Pandhi Ram, s/o Radha Ram, Rakha Ram, s/o Sobh Ram, Baggu Ram,

s/o Sunder Dass, Bhagwan Dass, s/o Baggu Ram, Mokand Lal, s/o Baggu Ram, Bihari Lal, s/o Kalu Ram, Wazir Chand, s/o Sudagar Dass, Sudagar Singh, s/o Wadhawa Singh, Ganga Ram, s/o Narain Dass, Baggu Ram, s/o Saudagar Chand, Dharam Chand, s/o Basti Ram, Ganga Ram, s/o Parja Ram, Nihal Chand, s/o Parja Ram, Hukam Chand, s/o Parja Ram, Ghumandi Ram, s/o Narain Dass, Pokhar Dass, s/o Ganga Ram, Ladhu Ram, s/o Mehtab Ram, Sunder Singh, s/o Karam Singh, Ujjagar Singh, s/o Sunder Singh, Shankar Singh, s/o Mohan Singh, Lal Singh, s/o Mohan Singh, Jagtar Singh, s/o Tikkan Singh, Ishar Singh, s/o Sher Singh, Shankar Singh, s/o Kala Singh.

(12)—Jaimal Singh, s/o S. Bula Singh and Sher Singh, s/o Pathana Singh, agents of Respondent No. 1 brought the following electors to Canal Rest House, Danewala Satkosi Polling Station No. 197 from Patrewala in trollies attached with tractors:—

Kalu Ram, s/o Pathana Ram Kambaj, Gurbachen Singh, s/o Tehl Singh, Pathana Singh, s/o Jaimal Singh, Kartar Singh, s/o Ghana Singh, Sundar Singh, s/o Pathana Singh, Mehar Singh, s/o Pathana Singh, Bakhtawar Singh, s/o Pathana Singh, Hasta Singh, s/o Mohar Singh, Mangal Singh, s/o Mohar Singh, Ujjagar Singh, s/o Mangh Singh, Labh Singh, s/o Mangh Singh, Amar Singh, s/o Mangh Singh, Surjan Singh, s/o Ganda Singh, Hukam Singh, s/o Ganda Singh, Kishan Singh, s/o Ram Singh, Lehna Singh, s/o Ram Singh, Gurdit Singh, s/o Ghena Singh, Inder Singh, s/o Rajiu Singh, Dogar Singh, s/o Rajju Singh, Sunder Singh, s/o Sohna Singh, Ganda Singh, s/o Sohna Singh, Panja Singh, s/o Sohna Singh, Amir Singh, s/o Sohna Singh, Sunder Singh, s/o Latkan Singh, Inder Singh, s/o Latkan Singh, Latkan Singh, s/o Hira Singh, Lakha Singh, s/o Hira Singh, Sher Singh, s/o Lakha Singh, Ganga Singh, s/o Fateh Singh, Piyara Singh, s/o Ranga Singh, Kartar Singh, s/o Ranga Singh, Wanjar Singh, s/o Ranga Singh, Ujjagar Singh, s/o Jaimal Singh, Bakhtawar Singh, s/o Jaimal Singh, Santa Singh, s/o Mehtab Singh, Hukam Singh, s/o Sohna Singh, Gheli, w/o Hasta Singh, Bibi, w/o Sunder Singh, Bibi, w/o Bhagat Singh, Gheli, w/o Ujjagar Singh, Mohari, w/o Bakhtawar Singh, Budhan, w/o Santa Singh, Bagan, w/o Hukam Singh, Lariki, w/o Sher Singh, Piyari, w/o Mehar Singh.

(13)—The following electors were transported by Jit Singh and Gurdial Singh, sons of Chohar Singh and Chohar Singh, s/o Arjan Singh of Alamgarh (agents of Respondent No. 1) from Alamgarh to Sub-Tehsil Abohar Polling Station No. 178 in a bus belonging to the Malout Transport Company:—

Devi Lal, s/o Rup Ram, Hazari Ram, s/o Ganga Ram, Kera Ram, s/o Moti Ram, Hukma Ram, s/o Khiraj, Ganga Ram, s/o Budha Ram, Teja Ram, s/o Lekh Ram, Kanshi Ram, s/o Kalu Ram, Dalloo Ram, s/o Chohar Ram, Ram Chand, s/o Budha Ram, Dongar Ram, s/o Mansa Ram, Manpal, s/o Rup Ram, Uma Ram, s/o Jagmal, Ganpat Ram, s/o Raman Ram, Bholu Ram, s/o Bega Ram, Ganpat Ram, s/o Talu Ram, Bholu Ram, s/o Jit Ram, Mam Raj, s/o Moti Ram, Uda Ram, s/o Ram Rikh, Har Chand, s/o Ram Rikh, Kahana Ram, s/o Sukh Ram, Diwan Chand, s/o Asa Ram, Mall Singh, s/o Jiwan Singh, Sarama, s/o Ballu Ram.

(14)—The following electors of Kilinwali and Khulansarwar were brought in trollies attached with tractors to D.B. Primary School, Saiyyadwala Polling Station No. 196 by S. Pohila Singh, s/o S. Mehar Singh of Kilianwali, a nephew and agent of Respondent No. 1:—

Fateh Singh, s/o Sujan Singh, Ranjit Singh, s/o Dharam Singh, Hazur Singh, s/o Fateh Singh, Ranjit Singh, s/o Kesar Singh, Dhanna Singh, s/o Jai Singh, Banta Singh, s/o Jai Singh, Gurdial Singh, s/o Hari Singh, Kaku, s/o Kira (Harijan), Naraina, s/o Amar Singh (Harijan), Har Chand, s/o Mehtab (Harijan).

(15)—About 90 electors of Rajpura and Dodewala, e.g. Ram Karan Siag, Sahi Ram Bishnoi, Manphul Singh Shivan were brought by Respondent No. 1's agent S. Gurbachan Singh to D.B. Primary School, Kularan Polling Station No. 183 in a bus registered in Rajasthan and ordinarily plying on hire between Bazidpur and Sadulshahr.

(16)—Two vehicles full of electors were brought by S. Arjan Singh, s/o S. Hira Singh, an agent of Respondent No. 1, from Panniwala to Canal Rest House, Jandwala Hanumanta Polling Station No. 203.

(17)—About 40 to 50 electors were transported by Respondent No. 1's agent S. Dan Singh s/o Karam Singh of Azamwala from Azamwala to Canal Rest House Qabul Shah Khuban Polling Station No. 192.

(18)—Shree Gopi Ram, Shree Chetro Ram and Shree Bhakwati Pershad, Harijan, Municipal Commissioners of Fazilka active supporters and agents of Respondent No. 1 transported Harijan electors to various Polling Stations of Fazilka Town in vehicles Nos. P.N.F. 1624, R.J.K. 251, P.N.F. 1288.

(19) Lambardar Hanuman and S. Nikka Singh of Kaurianwali, agents of Respondent No. 1 brought 40 to 50 electors from Kaurinawali and Beganwali to Jandwala Kharta Polling Station No. 156 in a trolley attached with a Tractor.

(20)—From 12 noon to 3-45 p.m. Respondent No. 1's Polling Agents Bhim Sain, Sohan Lall, Ramjas Mall, Charan Dass Jain, Jagmohan Nath, Ved Parkash, Munshi Ram, Bur Singh, Kharaiti Lal, Dharam Pal Mahindro, continued to bring electors to M.B. High School, Abohar Polling Station No. 178 in vehicles Nos.:—

PNF 1252, PNF 1517, PNF 1623, DLC 4029 and DLB 8970.

(21)—At about 3-15 p.m. on May 11, 1954 Shree Ram Dyal Vaid, M.L.A., Dabwali, General Secretary of the Punjab Pardesh Congress Committee addressing the Petitioner in the presence of Shree Chandi Ram Verma, M.L.A., Abohar before Arya Girls' Primary School, in Street No. 12 Polling Station No. 173 said:—

"Your supporters transported about 15 electors and the Police were going to interfere. We asked the Police not to object to the same when done by anybody and transported about five hundred electors."

On Shree Chandi Ram's warning that he should not make any such statement before the Petitioner who may summon him as a witness, Shree Ram Dyal said "I am not a Yudishtra. I will tell a lie."

XVI. Re-VII, 6—Respondent No. 1 employed a large number of professional propagandists from Gurdaspur, Amritsar, Jullundur and Ludhiana Districts, e.g., (1) S. Bachan Singh 'Bachan', Radio Artist, (2) S. Piyara Singh 'Panchhi', (3) Shree Nand Lal Nurpuri, (4) S. Partap Singh 'Jogi', (5) S. Hazara Singh 'Mush-taq', (6) Shree Mela Ram 'Tair' and Rural Publicity Workers of Ludhiana and Gurdaspur Districts, e.g., (8) Puran Chand, Baldev Raj 'Tooti', (10) Balu Ram, and (11) Randhir Singh, for canvassing in his favour on daily payment basis through Shree Prabodh Chander, Chief Parliamentary Secretary to the Chief Minister of Punjab for about a month i.e., from April 15, 1954 onwards upon May 11, 1954.

Besides the above said persons, Respondent No. 1 employed and paid the following persons mentioned in Part K of his Return in contravention of the Rules:—

Harbhajan Singh, Kishan Lal, Madan Lal, Des Raj, Gurpartap Singh, Labh Chand, Madan Lal, Des Raj, Ghela Ram, Surinder Kumar, Ram Lal, Madan Mohan, Ram Bhaj, Kehar Singh, Mool Chand, Nihal Chand, Saudagar Ram, Ved Parkash, Madan Lal, Sadhu Ram, Sohan Lal, Roshan Lal, Jai Kishan, Rajinder Malhotra, Dev Dutt, Surinder Singh, Des Raj, Lekh Raj, Balu Ram, Kesar Singh, Kewal Krishan, Raja Ram, 'Mahanbir and others'.

XVII. Re-VII, 1(1)—It was in an official meeting of *Panches* and *Sarpanches* organised by S. Balbir Singh Randhawa, S.D.O., Fazilka on April 8, 1954 in Municipal Committee Hall, Abohar between 10-30 a.m. to 12-30 noon that Respondent No. 1 and his agents, Shree Achint Ram and Shree Chandi Ram Verma trumpeted Respondent No. 1's giving away of 48½ bighas of land in Bhoodan and appealed to *Panches* and *Sarpanches* to vote and work for Respondent No. 1 for that reason.

(2) (ai)—Shree Joti Sarup 'National'—a Rural Publicity Worker of Ferozepore District had been moving not only in the villages surrounding Abohar but in Fazilka, Sirsa and Dabwali Towns in vehicles provided by Respondent No. 1 and carrying on canvassing in favour of Respondent No. 1 for more than a month, i.e., from April 8, 1954 to May 13, 1954. He had been making announcements for meetings through loudspeakers fitted on jeeps or station wagons, arranging the meetings, i.e., bringing chairs, tables and *darries* for the same and then managing the stage and announcing as to who would speak after whom.

(aii)—Shree Joti Sarup announced for the meeting held in Chowk Ghanta Ghar, Fazilka on April 30, 1954 through a loudspeaker fitted in Jeep No. P.N.F. 1172 at about 5 p.m. on that date. The meeting was addressed amongst others

by Comrade Ram Kishan, M.L.A., Jullundur City and Master Hari Kishan Dass, Fazilka. Shree Joti Sarup announced the names of the speakers who were to take the platform one after the other. Shree Joti Sarup also managed the stage in Ghas Mandi, Fazilka on May 8, 1954 when Shree Bhim Sain Sachar and Shree Chandi Ram Verma, M.L.A., Abohar addressed the people of Fazilka at about 10 P.M.

(b) S. Mohan Singh Sekhwan has been working as a Clerk and preparing lists of voters and filling in the number slips, carrying on propaganda in favour of Respondent No. 1 in Malout and Sheikhula illaqa of the constituency for a month or so and moving in vehicles provided by Respondent No. 1. He was also appointed a polling agent by Respondent No. 1 for a station between 180 to 186.

(3) (a)—Shree Randhir Singh has been working as a Clerk, preparing lists of voters and filling in number slips and canvassing, arranging and addressing meetings at Malout and in the surrounding villages in support of Respondent No. 1 for about 15 days. He was upset to learn from Shree Jagat Narain (Education Minister) about April 28, that his photo had been taken to prove that he had been working for Respondent No. 1 which he was not authorised to do under the law. He was advised by the said L. Jagat Narain to apply for leave.

(3) (b)—Shree Baldev Raj 'Tooti' has been working as a Clerk and preparing lists of electors and filling in number slips and reciting poems at public meetings held at Abohar, Fazilka, Malout and Dabwali between April 20, 1954 and May 10, 1954 in support of Respondent No. 1.

(3) (c)—Shree Bulla Ram has been working as a Clerk and preparing lists of voters and addressing public meetings at Fazilka and in the surrounding villages, e.g., Behk held in support of Respondent No. 1 between April 20, 1954 and May 10, 1954.

(3) (d)—Shree Puran Chand, worked as a Clerk, prepared lists of voters from April 20, 1954 onwards and addressed public meetings in support of Respondent No. 1, e.g., those held in Abohar Mandi on April 25, 1954 and in Basti Sukherian, April 26 or 27, 1954.

(4)—Thakar Dip Singh was appointed a Polling Agent in writing on May 4, 1954 by Respondent No. 1 for Ottu Polling Station No. 51 and he acted as such on May 9, 1954 throughout polling hours.

Lambardar Hanuman of Kaurianwali not only worked and canvassed for Respondent No. 1 for days, but actually transported electors to Jandwala Kharta Polling Station No. 156 in a trolley on May 11, 1954.

(5) The Petitioner made a complaint in writing to S. Ajaib Singh, S.S.P., Ferozepore but in vain. The Petitioner later on learnt that S. Ujjagar Singh worked for Respondent No. 1 with the approval of the said S.S.P. who promised to recommend for his promotion after the election was over.

(6) and (7)—For the obvious reason interests of the persons influenced by these police officers require that their names etc. should not be disclosed. It may, however, be stated that S. Ajaib Singh did not call upon the Petitioner to substantiate his complaint against S. Ujjagar Singh, S.H.O., Fazilka Sadar Police Station, and no one asked the Petitioner to adduce evidence in support of his allegations made telegraphically against S. Bahal Singh, D.S.P., Sirsa.

(8) to (13)—Are self-explanatory.

XVIII. Re-VIII—The Return of Election Expenses lodged by Respondent No. 1 is not only false in material particulars, but is no Returns in the eye of law inasmuch as it does not comply with the rules:—

(1) In no part of the Return names and descriptions of payees have been properly given—in most cases, no addresses have been given e.g. of those whose vehicles Respondent No. 1 hired; of persons whom Respondent No. 1 employed for preparing lists of voters. See also item supported by voucher No. 217.

(2) Many items of expense have been shown in lump sums without any details at all. Where the same are supported by 'vouchers', the vouchers also do not give any particulars of the 'Account' on which the same were incurred, e.g. Rs. 200 paid to Punjab Pradesh Congress Committee, Gobindgarh mentioned in Part K of the Return.

- (3) In no part of the Return have expenses been vouched. What are called 'Vouchers' by Respondent No. 1 are no vouchers at all. Moreover an overwhelming majority of the same are neither stamped nor signed by the payees. The numbering of the so-called vouchers has not been done on any sensible bases, e.g., Nos. 41, 42, 56, 61, 62, 69, 95 to 97, 103, 114, 115, 135, 166, 168, 170, 177, 179, 195, 196, 203, 205 to 207, 211 to 213, 225, 226, 229, 230, 238, 243, 244, 247, 251, 149, 151, 181, 188, 216, 277, 316, 317, 322, 368, 14, 126, 161, 189, 32, 119, 227, 231, 239, 259, 295, 299, 555, 551, 539, 535, 532, 'Voucher' 305 for Rs. 469-1-6 is supported by bill for Rs. 999-10-6 and is not signed by the payees.

Part D.—Respondent No. 1 had sent for a large number of workers, males and females, paid and unpaid, from all over the State. He has intentionally with the corrupt intention of keeping the declared expenses within the prescribed limit omitted or understated their expenses e.g., Amar Nath Dutt (mentioned in Voucher No. 245) came from Pathankot and yet only Rs. 5 have been shown on his account. According to 'Nai Rah' (Issues Nos. 9, 10, 11 and 12) a large number of workers and leaders toured the whole Constituency and poets from all over the province came to entertain the electorate of the Constituency, even their Railway fares have not been shown in the Return e.g. of L. Jagat Narain who remained in the constituency for weeks, of other ministers who toured the Constituency for days, of the paid propagandists mentioned in Para. XVI of this List, of Bibi Amar Kaur, wife of L. Mohan Lal Ahluwalia, Advocate, of Bibi Parkash Kaur, wife of S. Sardul Singh, Advocate, of Comrade Ram Kishan, M.L.A., of S. Darbara Singh, of Giani Gurmukh Singh Musafir, of S. Thaman Singh, President, D.C.C., Ferozepore. A very large number of Congress workers had been sent for from all over the province for the Polling Days, even their travelling expenses have not been shown in the Return. The petrol and oil bills have been materially understated. Respondent No. 1 has not shown petrol and oil expenses for any truck or tractor though he employed a large number thereof for transporting electors on the Polling Days. Petrol used for car Nos. P.N. 8 and P.N.W. 727, P.N.W. 587 and many others has not been shown in the Return. At 662, Ward No. 8, Abohar Respondent No. 1 and L. Munshi Ram Galhotra in his house at Fazilka opened *langars* for workers and supporters, expenses thereof have not been shown in the Return. Respondent No. 1 owed huge sums for petrol to Messrs. Devi Dayal Lachmi Narain, Abohar on the date he filed his Return and yet he did not show a copper coin as 'unpaid'. He paid more than Rs. 300 to Messrs. Jagdish Chander Manan Lal, Abohar for petrol between July 10 and 15 but did not show the same in his Return as 'unpaid'.

Part E.—Many items of expense have not been shown in the Return—some to keep the expenses within the prescribed limit and others to deny the commission of corrupt and illegal practices, e.g. expenses incurred on the printing of 'Apne Mohan Mian Mitthu'; 'Wapis Jao Ae Qaumi Gaddar'; 'Congress Ka Intkhahi Nishan' (20x30/8); Appeal (Urdu) by General Secretary, Suba Congress Committee, falsely declared to have been printed at Sadana Press, Abohar.

Part F.—Respondent No. 1 got more than 15,000 big posters pasted on walls and he has shown only Rs. 4-8-0 (Voucher No. 83) on that account and that too for labour. No expenses on account of pasting material has been shown. Respondent No. 1 got thousands of 'Wall Boards' written throughout the Constituency, e.g. at Fazilka, Abohar, Giddarbaha, Malout, Dabwali and Sirsa and yet he has not shown a single copper coin paid to a painter on that account.

Part K.—For Bibi Amar Kaur and Bibi Parkash Kaur referred to above Respondent No. 1 purchased two umbrellas and two pairs of goggles from the shop of Messrs. Gopal Dass Bhim Sain. General Merchants, Abohar, the same have not been shown in the Return.

XIX. Re-IX, (1)—The circulars, placard and posters, detailed particulars of which are given in the Table given below, were issued by Respondent No. 1 and his agents, e.g., Wazir Chand Sikka, Incharge, Central Congress Election Office, Abohar; Giani Gurmukh Singh Musafir, President, Punjab Pradesh Congress Committee, Jullundur City; S. Darbara Singh, General Secretary, P.P.C.C., Jullundur City; Charanjit Lal, Secretary, District Congress Committee, Ferozepore; Radha Kishan, Pradhan Thana Congress Committee, Khuiansarwar, Khulkhera, with his connivance from April 15, 1954 to May 11, 1954 and distributed in the towns of Abohar, Fazilka, Malout, Giddarbaha, Bhuchio, Dabwali, Sirsa, and in all those cities, towns and villages where Polling Stations were engaged.

(2)—Excepting Nos. 16 to 22 which were either sent through post office or distributed, the other 15 circulars, placards and posters were also affixed at the stations above referred to on walls and pillars of important buildings e.g., post offices, court-compounds, schools, places of worship (Mandirs and Gurdwaras),

surrounding walls of Mandis, important Dhabas and shops of sweetmeat-sellers, wooden shop structures of *panwaries* and refugees, filth depots, trees standing at conspicuous places and at all the bus stands in the Constituency.

(3)—Nos. 13, 14 and 15 were also hung by means of ropes on both sides of the 'Camps' erected by Respondent No. 1's agents at the polling stations at all the stations above referred to for giving their registration numbers to the electors.

TABLE

S. No.	Caption or other Identifying particulars of the circular etc.	Name and Address etc. of declared author	Name and Address of publisher if any	Name and Address of Printer if any	Press at which declared to have been printed
1	Congress Ki Shandar Kamyabi (Hindi).	Votran Ilaqa Sirsa, Dabwali, Kotbhai, Malour, Lambi, Nathana (Names and addresses not given).	Charanjit Lal Secretary, Distt. Congress Committee, Ferozepore.	Charanjit Lal Secretary, Distt. Congress Committee, Ferozepore.	Hari Press, Abohar.
2	Appeal (Hindi)	Kisan Harijan Ilaqa Sirsa, Dabwai (Names and Addresses not given).	Ditto.	Ditto.	Ditto.
3	Appeal (Hindi)	S. Darbara Singh General Secretary Panjab Pradesh Congress Committee Camp Abohar Mandi (Zila Ferozepore).	Nil.	Nil.	Ditto.
4	Appeal (Gurmukhi).	Darbara Singh General Secretary Panjab Pradesh Congress Committee (Address not given).	Nil.	Nil.	Ditto.
5	Poem (Hindi)	Gurbachan Singh Bachan' Radio Artist (Address not given).	Nil.	Nil.	Ditto.
6	Poem (Gurmukhi).	Ditto.	Nil.	Nil.	Ditto.
7	Appeal (Hindi)	Radha Kishan Khuikhera Pradhan Thana Congress Committee, Khuiansarwar.	Nil.	Nil.	Ditto.
8	Shree Bhim Sain Sachar (Hindi).	Wazir Chand Incharge Central Congress Election Office, Abohar.	Nil.	Nil.	Ditto.
9	Apne Mohn Mian Mithhu (Urdu).	Secretary Zila Congress Committee, Ferozepore. (Name and Address not given).	Nil.	Nil.	Falsely given as 'Hari Press Abohar'.
10	Wapis Jao Ae Qaumi Gaddar (Urdu).	Secretary Zila Congress Committee Ferozepore (Name and address not given).	Nil.	Nil.	Ditto.
11	Appeal (Urdu)	General Secretary Suba Congress Committee Panjab (Name and address not given).	Nil.	Nil.	Falsely given as "Sadana Press" Abohar.

S. No.	Caption or other Identifying particulars of the circular etc.	Name and Address etc. of declared author	Name and Address of Publisher if any	Name and Address of Printer if any	Press at which declared to have been printed
12	Congress ka Intkahbi Nishan 20+30/8(Urdu).	Nil.	Nil.	Nil.	Falsely given as 'Hari Press Abohar'.
13	Pandit Nehru ka Firman (Hindi).	Nil.	Nil.	Nil.	Hind Samachar Press Jullundur.
14	Pandit Nehru ka Farman (Urdu).	Nil.	Nil.	Nil.	Hind Samachar Press Pacca Bagh Jullundur Shehar.
15	Congress ka Intkhabhi Nishan Apna Qimati Vote S. Iqbal Singh Ko Den (Urdu).	Nil.	Nil.	Nil.	Nil.
*16	Govtal Post Card (Hindi).	Gurmukh Singh Musafir President Panjab Pradesh Congress Marfat Central Congress Election Office, Abohar.	Nil.	Nil.	Nil.
*17	Govtal Post Card (Gurmukhi).	Ditto.	Nil.	Nil.	Nil.
18	Congress ko vote Do (Gurmukhi & Hindi).	Nil.	Nil.	Nil.	Nil.
*19	Letter from 'Central Congress election Office (English)	Wazir Chand Sikka Incharge.	Nil.	Nil.	Nil.
*20	Shriman Ji (Gurmukhi).	Gurmukh Singh Musafir M. P. Pardhan Panjab Pradesh Congress Committee Camp Abohar.	Nil.	Nil.	Nil.
*21	Shriman Ji (Hindi).	Ditto.	Nil.	Nil.	Hari Press Abohar.
22	Number Slips (Hindi).	Nil.	Nil.	Nil.	Nil.

* These circulars, playcards or posters have been filed with his Return of Election Expenses by Respondent No. 1 himself and numbered as 731, 733, 719, 725 and 727 respectively.

XX. Re-X. 1.—The Returning Officer ignored the mandatory provisions *re* notice required under Rule 12(2) and the result was that many Presiding Officers who wanted to please Ministers refused to admit the Petitioner's Polling Agents on flimsy grounds, but accepted Respondent No. 1's authorities even though no names of polling agents were mentioned therein, e.g., at Polling Station No. 171

or the names of those appointed by Respondent No. 1 were illegally scored out by unauthorised persons who tried and forged the initials of Respondent No. 1. At many places Lambardars and Government Servants were appointed Polling Agents, but the Presiding Officers who wanted to oblige Respondent No. 1 destroyed his Authorities. Respondent No. 1 was thus able to get the advantage of their influence, which affected the result of the election but was saved from disqualification under sections 99, 123(8) and 140.

XXI. Re X, 2—The fact that Respondent No. 1's agents were canvassing votes and exhibiting "Pandit Nehru ka Firman" and 'Congress ka Intkhahi Nishan' (big posters) within 100 yards of the Polling Stations was brought to the Notice of the Presiding Officer of Polling Station:

- (1) No. 28 or 29 at about 10 A.M. on 9th May 1954. On measurement of the distance by the police Respondent No. 1's camp was found to have been pitched at a distance of 62 yards. Respondent No. 1's agents removed the camp after a lot of quarrelling with the Police Officer on duty, but left 'Pandit Nehru ka Firman' and 'Congress ka Intkhahi Nishan' hanging at the old place;
- (2) No. 31 at about 11 A.M. on 9th May 1954. As the distance was clearly less than 100 yards, Respondent No. 1's agents were asked to move away. They moved away but left "Pandit Nehru ka Firman" and "Congress ka Intkhahi Nishan" hanging there. On complaint to that effect by the Petitioner at about 12 noon the Presiding Officer sent a middle aged Sikh Policeman to see that the exhibits objected to were removed.

(Sd.) MAST RAM, M.A., LL.B., *Advocate*,
Ferozepore City (Petitioner).

Verification

I, Mast Ram (the Petitioner), hereby verify that the contents of Para. No. VIII, IX, XII, XIV, XV (1), (2), (5), (6) and (21), XVII (2ii) so far as making announcement from 1,172 is concerned, XVII (5) so far as making complaint to S. Ajaib Singh is concerned, XVII (6) and (7), XVIII, XIX and XXI of this 'List' are correct to my own knowledge and verify that the contents of Para. No. I to VII, X, XI, XIII, XV (3), (4), (7) to (20), XVI, XVII (1), rest of XVII (2ii), XVII (3) (a) to (5) (d), XVII (4), rest of XVII (5), XVII (8) to (13) and XX of this List are correct to my belief based upon information received and believed to be true.

Verified in my Office inside Delhi Gate, Ferozepore City on July 17, 1954.

(Sd.) MAST RAM, M.A., LL.B., *Advocate*,
Ferozepore City (Petitioner).

G. L. BAHL, *Chairman*,
[No. 1.]

By Order,
K. S. RAJAGOPALAN,
For Chief Election Commissioner,

